

Approved: s/Jacob H. Gutwillig, by the Court, with permission
Jacob H. Gutwillig
Assistant United States Attorney

Before: HON. DEBRA FREEMAN
United States Magistrate Judge
Southern District of New York

20 Mag 9075

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:
UNITED STATES OF AMERICA : COMPLAINT
:
- v. - : Violations of
: 21 U.S.C. §§ 812 and 841
JOSE CUEVAS, :
a/k/a Jose M Cuevas, :
a/k/a Nariari Vasquez, :
:
Defendant. : COUNTY OF OFFENSE:
: BRONX
- - - - - x

SOUTHERN DISTRICT OF NEW YORK, ss.:

JORGE RODRIGUEZ, being duly sworn, deposes and says
that he is a Police Officer with the New York City Police
Department ("NYPD") and charges as follows:

COUNT ONE

(Possession with Intent to Distribute Narcotics)

1. On or about August 24, 2020, in the Southern
District of New York and elsewhere, JOSE CUEVAS, a/k/a "Jose M
Cuevas," a/k/a "Nariari Vasquez," the defendant, intentionally and
knowingly distributed and possessed with intent to distribute a
controlled substance, in violation of Title 21, United States Code,
Section 841(a)(1).

2. The controlled substance involved in the offense
was five kilograms and more of mixtures or substances containing
a detectable amount of cocaine, in violation of Title 21, United
States Code, Section 841(b)(1)(A).

(Title 21, United States Code, Sections 812, 841(a)(1),
841(b)(1)(A); Title 18, United States Code, Section 2.)

The bases for my knowledge and for the foregoing charge
are, in part, as follows:

3. I am a Police Officer with the NYPD and I have been personally involved in the investigation of this matter. This affidavit is based upon my personal participation in the investigation of this matter, and my review of documents as well as my conversations with law enforcement agents and witnesses. Because this affidavit is being submitted for the limited purpose of establishing probable cause, it does not include all the facts that I have learned during the course of my investigation. Where the actions, statements, and conversations of others are reported herein, they are reported in substance and in part, except where otherwise indicated.

4. Based on my participation in this investigation, my review of law enforcement reports and records, and my conversations with other law enforcement officers, I have learned the following, in substance and in part:

a. On or about August 24, 2020, parole officers from the New York State Department of Corrections (the "Parole Officers"), conducted a parole visit of JOSE CUEVAS, a/k/a "Jose M Cuevas," a/k/a "Nariari Vasquez," the defendant, at a particular apartment located at 3450 Cannon Place in the Bronx, New York ("Apartment-1"). Based on my conversations with the Parole Officers, as well as my review of law enforcement records, I have learned that CUEVAS was on New York State parole in connection with his conviction, on or about August 19, 2014, for criminal possession of a controlled substance in the third degree, in violation of New York Penal Law Section 220.16. Additionally, I have learned that CUEVOS provided 3450 Cannon Place as his residence to New York State Parole.

b. In conducting a search of Apartment-1, the Parole Officers observed a large, black garbage bag, which contained approximately 19 individual clear plastic bags containing a white powdery substance. The Parole Officers also found in Apartment-1, among other items: packaging materials, including zip-lock bags and rubber bands; two scales; and, under a mattress, approximately \$20,851 in United States currency. Based on my training and experience, I believe that the packaging materials found in Apartment-1 and scales are items used by drug dealers to weigh and package drugs for further distribution. While conducting this search, the Parole Officers called members of the NYPD, including myself, up to Apartment-1, where we arrested CUEVAS. Below is a photograph that law enforcement officers took following CUEVAS' arrest, depicting the 19 individual clear plastic bags, and certain of the cash seized from Apartment-1:



c. Subsequently, I and other law enforcement officers weighed the 19 zip-lock bags and determined that each bag weighed approximately one kilogram for a total of approximately 19 kilograms. Based on my training, experience, and involvement in this and other investigations, as well as my observation of the white powdery substance, packaging materials, and scales, I believe that the white powdery substance in the zip-lock bags is cocaine packaged for distribution. The approximately \$20,851 in United States currency was packaged in stacks, held together by rubber bands, in denominations of \$100 and \$20 bills, an example of which is depicted in the photograph above. Based on my training and experience, the way in which the cash was packaged, and the significant quantities of drugs and drug paraphernalia seized from Apartment-1, I believe that the cash represents proceeds of CUEVAS's drug dealing.

WHEREFORE, deponent respectfully requests that JOSE CUEVAS, a/k/a "Jose M Cuevas," a/k/a "Nariari Vasquez," the defendant, be imprisoned or bailed, as the case may be.

s/Jorge Rodriguez, by the Court, with permission

JORGE RODRIGUEZ

Police Officer

New York City Police Department

Sworn to me through the transmission of this Complaint by reliable electronic means, pursuant to Federal Rule of Criminal Procedure 4.1, this 25th day of August, 2020



THE HONORABLE DEBRA FREEMAN
UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF NEW YORK